

Remarks

Claims 1-24 are amended herein. The amendments are supported in the application as filed, e.g., at page 5, line 1. Claims 1-24 are pending.

Previous rejections of claims 1-24 over U.S. Pat. No. 6,238,119 (Lin), U. S. Pat. No. 6,169,948 (McGaffigan) and/or U.S. Pat. No. 5,879,962 (DePuydt) are apparently withdrawn.

§ 102 Rejections

Claims 2, 3, 5, 6, 8, 9, 11, 12, 14 and 15 stand rejected under 35 U.S.C. § 102(e) as purportedly anticipated by U.S. Pat. No. 6,190,022 (Tocci). The rejected claims are amended herein and are allowable over the cited reference.

Each of the present claims recites a laser pointer for use as an aid in the visual presentation of information. In contrast, Tocci concerns a non-lethal visual security device designed to provide a glare or flashblinding visual effect so as to disorient an adversary. (Tocci at Abstract.) While the laser pointer according to the present invention may be useful, e.g., in a conference meeting or presentation, the devices according to Tocci are used in "apprehension of unarmed but violent subjects, protection from suspected snipers, protection from assailants . . . crowd/mob control . . . [prison] cell extractions, breaking up fights . . . hostage situations, protection of political figures in crowds, airport security . . ." (Tocci at col. 1, ln. 66 – col. 2, ln. 8.) Tocci nowhere discloses or suggests a laser pointer for use as an aid in the visual presentation of information, and therefore this rejection should be withdrawn.

Regarding claims 8 and 9, each of these claims recites at least two laser elements or laser diodes which "emit beams which are collimated beams which are substantially parallel." The Office Action cites only Fig. 7 of Tocci for the purported disclosure of laser elements "having collimated beam properties" that are "located parallel to each other." However, Fig. 7 is "a schematic representation of the electronics and control circuitry used to power multiple lasers," (Tocci at col. 3, lns. 64-65) and not a scale depiction of any arrangement of optics. More importantly, Fig. 7 does not disclose parallel beams. To the contrary, it schematically depicts laser elements coupled with optical fibers (reference number 18) that are depicted as non-parallel and described elsewhere as coiled. (Tocci at col. 7, lns. 58-64.)

For all the foregoing reasons, the rejection of claims 2, 3, 5, 6, 8, 9, 11, 12, 14 and 15 under 35 U.S.C. § 102(e) has been overcome and should be withdrawn.

§ 103 Rejections

Claims 1, 4, 7, 10, 13, 16, 20 and 24 stand rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Pat. No. 6,126,299 (Hypes) taken alone. Claims 17-23 stand rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Pat. No. 6,190,022 (Tocci) taken alone. The rejected claims are amended herein and are allowable over the cited references.

Hypes discloses navigational, warning or running lights used on aircraft, water craft or other movable or stationary objects. (Hypes at col. 1, lns 6-8.) Hypes nowhere discloses or suggests a laser pointer for use as an aid in the visual presentation of information, as recited in each of the pending claims. Furthermore, the disclosure in Hypes of an apparatus and method for navigation "in low visibility conditions caused by fog, mist, rain, snow . . ." (Hypes at Abstract.) is highly non-analogous to and strongly teaches away from the present invention, which concerns an apparatus for use in instruction and in the presentation of information to an audience. In order to establish prima facie case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03. Since Hypes fails to disclose or suggest a laser pointer for use as an aid in the visual presentation of information, this rejection should be withdrawn.

As noted above, Tocci discloses a non-lethal visual security device designed to provide a glare or flashblinding visual effect so as to disorient an adversary. (Tocci at Abstract.) Tocci nowhere discloses or suggests a laser pointer for use as an aid in the visual presentation of information, as recited in each of the pending claims. Furthermore, the disclosure in Tocci of an apparatus and method to disorient and disrupt the visual ability of a person is highly non-analogous to and strongly teaches away from the present invention, which concerns an apparatus to aid in instruction and presentation of information. In order to establish prima facie case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03. Since Tocci fails to disclose or suggest a laser pointer for use as an aid in the visual presentation of information, this rejection should be withdrawn.

The Office Action erroneously states that the applicant has not disclosed that the weight of the device solves any stated problem or is for any particular purpose. The application does make such a disclosure, both implicitly and explicitly, e.g. at page 4, lines 28-31. The Office Action erroneously states that the applicant has not disclosed that the choice of laser element solves any

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stated problem or is for any particular purpose. The application does make such a disclosure, both implicitly and explicitly, e.g. at page 3, lines 11-21.

For all the foregoing reasons, the rejection of claims 1, 4, 7, 10, 13 and 16-24 under 35 U.S.C. § 103(a) has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of claims 1-24 as amended is solicited.

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Respectfully submitted,

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Version With Markings to Show Changes Made

1. (Once Amended) [An electronic device] A laser pointer for use as an aid in the visual presentation of information comprising a plurality of laser elements capable of emitting beams of visible light, at least two of said laser elements emitting light at different frequencies, additionally comprising a battery and a electrical switching circuit, wherein said device weighs no more than 450 grams.
2. (Once Amended) [An electronic device] A laser pointer for use as an aid in the visual presentation of information comprising a plurality of laser elements capable of emitting beams of visible light, at least two of said laser elements emitting light at different frequencies, wherein at least one of said laser elements is a laser diode.
3. (Once Amended) [An electronic device] A laser pointer for use as an aid in the visual presentation of information comprising a plurality of laser diodes capable of emitting beams of visible light, at least two of said laser diodes emitting light at different frequencies.
4. (Once Amended) The [electronic device] pointer according to claim 1 wherein no more than one laser element may be actuated at any one time.
5. (Once Amended) The [electronic device] pointer according to claim 2 wherein no more than one laser element may be actuated at any one time.
6. (Once Amended) The [electronic device] pointer according to claim 3 wherein no more than one laser diode may be actuated at any one time.
7. (Once Amended) The [electronic device] pointer according to claim 1 wherein said at least two laser elements emit beams which are collimated beams which are substantially parallel.
8. (Once Amended) The [electronic device] pointer according to claim 2 wherein said at least two laser elements emit beams which are collimated beams which are substantially parallel.

9. (Once Amended) The [electronic device] pointer according to claim 3 wherein said at least two laser diodes emit beams which are collimated beams which are substantially parallel.
10. (Once Amended) The [electronic device] pointer according to claim 1 wherein at least one of said laser elements emits light at a red, orange or yellow visible wavelength and at least one of said laser elements emits light at a green, blue or violet visible wavelength.
11. (Once Amended) The [electronic device] pointer according to claim 2 wherein at least one of said laser elements emits light at a red, orange or yellow visible wavelength and at least one of said laser elements emits light at a green, blue or violet visible wavelength.
12. (Once Amended) The [electronic device] pointer according to claim 3 wherein at least one of said laser diodes emits light at a red, orange or yellow visible wavelength and at least one of said laser diodes emits light at a green, blue or violet visible wavelength.
13. (Once Amended) The [electronic device] pointer according to claim 1 wherein at least one of said laser elements emits light at a red visible wavelength and at least one of said laser elements emits light at a green or blue visible wavelength.
14. (Once Amended) The [electronic device] pointer according to claim 2 wherein at least one of said laser elements emits light at a red visible wavelength and at least one of said laser elements emits light at a green or blue visible wavelength.
15. (Once Amended) The [electronic device] pointer according to claim 3 wherein at least one of said laser diodes emits light at a red visible wavelength and at least one of said laser diodes emits light at a green or blue visible wavelength.
16. (Once Amended) The [electronic device] pointer according to claim 1 wherein at least one of said laser elements is a green-emitting II-VI semiconductor laser diode and at least one of said laser elements is a red-emitting III-V semiconductor laser diode.

17. (Once Amended) The [electronic device] pointer according to claim 2 wherein at least one of said laser elements is a green-emitting II-VI semiconductor laser diode and at least one of said laser elements is a red-emitting III-V semiconductor laser diode.

18. (Once Amended) The [electronic device] pointer according to claim 3 wherein at least one of said laser diodes is a green-emitting II-VI semiconductor laser diode and at least one of said laser diodes is a red-emitting III-V semiconductor laser diode.

19. (Once Amended) The [electronic device] pointer according to claim 6 wherein at least one of said laser diodes is a green-emitting II-VI semiconductor laser diode and at least one of said laser diodes is a red-emitting III-V semiconductor laser diode.

20. (Once Amended) The [electronic device] pointer according to claim 1 wherein at least one of said laser elements comprises a green-emitting frequency-doubled laser and at least one of said laser elements comprises a red-emitting III-V semiconductor laser diode.

21. (Once Amended) The [electronic device] pointer according to claim 2 wherein at least one of said laser elements comprises a green-emitting frequency-doubled laser and at least one of said laser elements comprises a red-emitting III-V semiconductor laser diode.

22. (Once Amended) The [electronic device] pointer according to claim 2 additionally comprising a battery and a electrical switching circuit, said device weighing no more than 450 grams.

23. (Once Amended) The [electronic device] pointer according to claim 3 additionally comprising a battery and a electrical switching circuit, said device weighing no more than 450 grams.

24. (Once Amended) The [electronic device] pointer according to claim 20 additionally comprising a battery and a electrical switching circuit, said device weighing no more than 450 grams.